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Attorney Docket No. 00064.01R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HALE, *ET AL.*

SERIAL NO.: 10/719,763

FILED: NOVEMBER 20, 2003

TITLE: ACUTE TREATMENT OF  
HEADACHE WITH PHENOTHIAZINE  
ANTIPSYCHOTICS

EXAMINER:

ART UNIT: 1615

CONFIRMATION NO.: 3281

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being filed under 37 CFR § 1.97(b). This Statement is filed within at least one of the following time periods:

- (a) within three months of the filing date of a national application (other than a CPA under 37 CFR § 1.53(d));
- (b) within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application;
- (c) before the mailing of a first Office Action of the merits; or
- (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114.

No fee is believed to be due in this instance. However, the undersigned hereby authorizes the charging of any fees created by the filing of this document to Deposit Account No. 19-5117.

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 6/22/05.

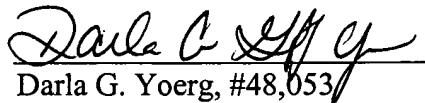
Signature: 

Name: Denise S. Magee

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,

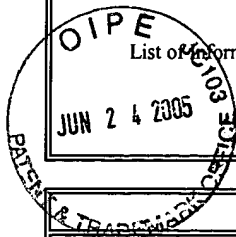
Date: June 22, 2005



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| <b>FORM PTO-1449</b><br><b>U.S. DEPARTMENT OF<br/>COMMERCE PATENT<br/>AND TRADEMARK<br/>OFFICE</b><br>List of Information Cited by Applicant<br>Page 1 of 1 | <b>ATTY. DOCKET NO.</b><br>00064.01R    | <b>SERIAL NO.</b><br>10/719,763 |
|   | <b>APPLICANT</b><br>HALE, ET AL.        |                                 |
|   | <b>FILING DATE</b><br>NOVEMBER 20, 2003 | <b>GROUP</b><br>1615            |



| U.S. PATENT DOCUMENTS |    |                    |          |              |     |             |              |
|-----------------------|----|--------------------|----------|--------------|-----|-------------|--------------|
| EXAM.<br>INITIAL      |    | DOCUMENT<br>NUMBER | DATE     | NAME         | CLS | SUB-<br>CLS | FILE<br>DATE |
|                       | AA | 5,284,133          | 02/08/94 | BURNS ET AL. |     |             |              |
|                       | AB |                    |          |              |     |             |              |
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|                       | AH |                    |          |              |     |             |              |

| FOREIGN PATENT DOCUMENTS |    |                    |          |         |     |            |            |
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| EXAM.<br>INITIAL         |    | DOCUMENT<br>NUMBER | DATE     | COUNTRY | CLS | SUB<br>CLS | TRANS<br>? |
|                          | AI | WO 97/35582        | 10/02/97 | PCT     |     |            |            |
|                          | AJ | WO 02/083119       | 10/24/02 | PCT     |     |            |            |
|                          | AK | WO 03/024456       | 03/27/03 | PCT     |     |            |            |
|                          | AL |                    |          |         |     |            |            |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  |     |   |
|---|-----|---|
|   | AM  | Caley et al. (1998) Formulary, Advanstar Communications 33(2):105-119 |
|   | AN  | Galeotti et al. (2002) Pharmacological Research 46(3):245-250         |
|   | AO  | Raskin (1994) Western Journal of Medicine 161(3):299-302              |
|   | AP  | Wang et al. (1997) Headache 37(6):376-382                             |
|   | AQ  | Wilkinson (1985) Scottish Medical Journal 30(4):258-262               |
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| EXAMINER  |     | DATE CONSIDERED   |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |     |   |